

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOLEEN DELGADO,

Plaintiff,

-against-

THE PEOPLE OF THE STATE OF NEW
YORK; KEVIN RUSSO,

Defendants.

24-CV-9165 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff is appearing *pro se*. By order dated December 2, 2024, the Court directed Plaintiff to pay the filing fees or submit an application to proceed *in forma pauperis*. (ECF 5.) It appears, however, that Plaintiff had already paid the filing fees and an identical action had been opened as *Delgado v. People of the State of New York*, No. 7:24-CV-9007 (JGLC).

This duplicate action appears to have been opened in error. The complaint is therefore dismissed without prejudice to Plaintiff's pending case under docket number 7:24-CV-9007 (JGLC).

CONCLUSION

This action is dismissed without prejudice as duplicative of the action pending under docket number 7:24-CV-9007 (JGLC).

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438 (1962).

The Clerk of Court is directed to enter judgment in this matter.

SO ORDERED.

Dated: December 11, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge